

Court of Appeals, State of Michigan

ORDER

In re Hanna Leann Withenshaw Minor

Docket No. 289836

LC No. 2007-000619-NA

E. Thomas Fitzgerald
Presiding Judge

Pat M. Donofrio

Elizabeth L. Gleicher
Judges

The Court orders that the motion to withdraw is DENIED for the reason that the appeal is not wholly frivolous. MCR 7.211(C)(5).

On its own motion, pursuant to MCR 7.216(C)(7) and (9), appointed counsel, Kimberly T. Brown (P#41835), is allowed to withdraw from representation of respondent-appellant and this cause is REMANDED to the trial court for appointment of substitute counsel to represent respondent-appellant. The trial court shall appoint new counsel within 28 days of the Clerk's certification of this order. The time for filing respondent-appellant's brief on appeal under MCR 7.212(A)(1)(a)(i) will begin to run on the date of appointment.

In addition to whatever claims of error respondent-appellant's substitute counsel deems appropriate to raise on appeal, respondent-appellant's brief on appeal shall raise the issue whether petitioner proved grounds for termination by clear and convincing evidence.

This order shall have immediate effect.

This Court retains jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 22 2009

Date

Sandra Schultz Mengel
Chief Clerk